

3-1-2000

Election Districts. Redistricting Commission.

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_inits

Recommended Citation

Election Districts. Redistricting Commission. California Initiative 894 (2000).
http://repository.uchastings.edu/ca_ballot_inits/1059

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

DIVISIONS:

Archives
Corporate Filings
Elections
Information Technology
Joint Partnership
Management Services
Notary Public
Political Reform
Uniform Commercial Code



BILL JONES
Secretary of State
State of California

March 1, 2000

ELECTIONS DIVISION
(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (00077)

FROM:


JOANNA SOUTHARD
ELECTIONS ANALYST

SUBJECT: **INITIATIVE #894**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**ELECTION DISTRICTS.
REDISTRICTING COMMISSION.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Bill Jones
Bill Jones for Secretary of State
1801 I Street, #200
Sacramento, CA 95814

(916) 498-8368

RECEIVED

MAR 02 2000

LIBRARY
ELECTIONS DIVISION

#894
ELECTION DISTRICTS.
REDISTRICTING COMMISSION.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 670,816
California Constitution, Article II, Section 8(b)
2. Official Summary Date:..... Wednesday, 03/01/00
Elections Code section (EC§) 336
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Wednesday, 03/01/00
 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a))Monday, 07/31/00*
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b))..... Thursday, 08/10/00

(If the Proponent files the petition with the county on a date prior to 07/31/00,
the county has eight working days from the filing of the petition to determine the
total number of signatures affixed to the petition and to transmit the total to the
Secretary of State) (EC §9030(b)).
 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties (EC §9030(c))..... Saturday, 08/19/00**
 - e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(EC §9030(d)(e)) Monday, 10/02/00

* Date adjusted for official deadline which falls on Saturday (EC §15).

** Date varies based on receipt of county certification.

INITIATIVE #894

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 08/19/00, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 737,898 or less than 637,275 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 637,275 and 737,898 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a))Thursday, 10/12/00*

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)). Tuesday, 11/28/00

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 10/12/00, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033)..... Saturday, 12/02/00*

* Date varies based on receipt of county certification.

IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 123 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq. A brief summary is attached for your reference.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 94425
SACRAMENTO, CA 94244-2550
Public: (916) 445-9555

Facsimile: (916) 324-8835
(916) 324-5490

March 1, 2000

FILED
In the office of the Secretary of State
of the State of California

MAR 01 2000

Bill Jones
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

BILL JONES, Secretary of State
By Juanita H. Bullock
Deputy Secretary of State

RE: Initiative Title and Summary
SUBJECT: ELECTION DISTRICTS. REDISTRICTING COMMISSION. INITIATIVE
CONSTITUTIONAL AMENDMENT.
FILE NO: SA2000RF0005

Dear Mr. Jones:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of service.

Sincerely,

Tricia Knight
TRICIA KNIGHT
Initiative Coordinator

For **BILL LOCKYER**
Attorney General

TK:ms
Enclosures

Date: March 1, 2000
File No: SA2000RF0005

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

ELECTION DISTRICTS. REDISTRICTING COMMISSION. INITIATIVE

CONSTITUTIONAL AMENDMENT. Creates 17-member commission to redraw district

boundaries for Congress, State Assembly and Senate, and Board of Equalization following decennial federal census. Sixteen Commission members appointed by legislative leadership, but current lobbyists and persons recently seeking or holding elective office are disqualified;

Commission selects seventeenth member, who cannot be from a political party represented in Legislature. Prohibits consideration of or effect on incumbents or voters' political affiliations or voting history in making district adjustments. Requires geographically compact districts.

Provides for Supreme Court review and permits voter referendum of redistricting plan.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Because the measure requires that the Legislature make funds available from its own budget for personnel and computer technology for the commission, and because the Legislature's budget is limited under the Constitution, the measure would probably not result in any additional costs related to these activities. However, to the extent that the commission incurs other costs, such as travel and expenses for members of the commission, the state could incur unknown, but probably not major, additional costs.



January 6, 2000

RECEIVED
JAN 06 2000INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICEHAND DELIVERED

Diane Calkins
Initiative Coordinator
Department of Justice
1300 I Street
Sacramento, CA 95814

Re: Request for Title and Summary

Dear Ms. Calkins:

Please find enclosed the text of a proposed initiative to create a commission appointed by the Legislature to draft reapportionment plans and a check for \$200. Pursuant to Elections Code section 9002, I am requesting that your office prepare a title and summary of the proposed initiative measure.

I am the proponent and am a registered voter. I am including my address as registered to vote under separate cover.

Sincerely,


BILL JONES

Enclosures

BILL JONES FOR SECRETARY OF STATE

1801 "I" St., #200 • Sacramento, CA 95814 • State I.D. #970718 • Phone (916) 498-8368 • FAX (916) 449-2943 • email:bjones@ibm.net

SECTION 1. Title

This measure shall be known and may be cited as the "Fair Representation Act of 2000."

SECTION 2. Findings and Declarations of Purpose

The People of the State of California find and declare that:

(a) Our Legislature should be responsive to the demands of the citizens of the state of California and not the self-interest of individual legislators. We demand that our representative system of government be fair to all, open to public scrutiny, free of conflicts of interest and dedicated to the principle that government derives its powers from the consent of the governed.

(b) Legislators should not draw the boundaries of their own legislative districts, Board of Equalization districts and the districts of our congressional representatives, offices to which they might aspire, for their own self-interest or partisan political purposes.

SECTION 3. Fair Reapportionment

Article XXI of the California Constitution is amended to read:

Section 1. In the year following the year in which the national census is taken under the direction of Congress at the beginning of each decade, ~~the legislature shall~~ the Redistricting Commission shall adjust the boundary lines of the Senatorial, Assembly, Congressional, and Board of Equalization districts to ensure a timely reapportionment, free of the taint of partisanship or incumbent self-interest, and in conformance with Section 2 of this Article. ~~the following standards:~~

Section 2. (a) Each member of the Senate, Assembly, Congress, and the Board of Equalization shall be elected from a single-member district.

(b) The population of all districts of a particular type shall be reasonably equal in compliance with Federal law.

(c) Every district shall be contiguous and compact.

(d) Districts of each type shall be numbered consecutively commencing at the northern boundary of the state and ending at the southern boundary.

(e) Each Board of Equalization district shall be comprised of ten adjacent Senate districts and each Senate district shall be comprised of two adjacent Assembly districts. ~~The geographical integrity of any city, county, or city and county, or of any geographical region shall be respected to the extent possible without violating the requirements of any other subdivision of this section.~~

(f) No consideration shall be given as to the potential effects on incumbents or political parties, and no data regarding the party affiliation or voting history of electors may be used in the preparation of plans.

(g) The geographical integrity of any city, county, or city and county, or of any geographical region shall be respected to the extent possible.

Section 3(a) The Redistricting Commission shall be made up of 17 commissioners appointed pursuant to this section. The Commission shall prepare separate plans of reapportionment for state and congressional offices and to hold public hearings to receive proposed plans by any elector and the presentation of comment from the public with respect to such plans.

(b) The Legislature shall make such appropriations from the Legislature's operating budget, as limited by section 7.5 of Article IV, as necessary for the Commission to employ counsel, independent experts in the field of reapportionment and computer technology, and other necessary personnel to assist them in their work.

(c) The President Pro Tempore of the Senate, the leader of the minority party in the Senate, the Speaker of the Assembly, and the leader of the minority party in the Assembly shall each appoint four members to the Commission not later than February 1. Within 30 days, the Commission shall meet and select one additional member, who shall be an elector who has not been registered as a member of any party represented in the Legislature for at least two years, by an affirmative vote of at least 11 of the commission members. In the event the Commission fails to appoint the 17th member, such appointment shall be filled by the Judicial Council within 15 days after the deadline for the Commission to make the appointment.

(d) No Commissioner shall have served during the two years prior to his or her appointment as an elected state officer, member of Congress, officer or employee of a political party, registered lobbyist, employee of the Legislature or Congress, or be related to any such person.

(e) As a condition of appointment to the Commission, each Commissioner shall take an oath affirming that the commissioner will not receive compensation as a lobbyist or seek elective office in any of the newly redistricted legislative or congressional districts for a period of four years after concluding service as a commissioner.

(f) The Commission shall elect one of its members to serve as Chair and shall establish its own rules and procedures. All actions of the Commission shall require 11 affirmative votes. Meetings and records of the Commission shall be open to the public and public notice of all meetings shall be given.

(e) Within 100 days after the appointment of all Commissioners, the Commission shall issue its final report, including its final plans to the Secretary of State. The Commission shall be dissolved immediately after the Supreme Court determines that the Commission's plans comply with this Constitution.

Section 4. Immediately after preparation of its final plans, the Commission shall petition the Supreme Court, naming the Secretary of State as respondent, to review its plans for compliance with this Constitution. If the plans are in compliance, the Secretary of State shall use the plans in the state primary and general elections conducted during that decade. If not in

compliance, the Supreme Court shall order the Commission to make adjustments to the plans as may be necessary to bring the plans into compliance with this Constitution within 20 days after the Court's ruling

Section 5. If the Commission does not timely issue its final report and final plans to the Secretary of State, the Commission shall be dissolved and the Secretary of State shall, within 5 days, petition the Supreme Court to make such apportionment. No later than 60 days after the filing of such a petition, the Supreme Court shall order the Secretary of State to use plans adopted by the Supreme Court.

Section 6. A judgment of the Supreme Court determining the apportionment by the Commission to be valid or ordering judicial apportionment shall be binding upon all the citizens of the state.

Section 7. Notwithstanding section 9(a) of Article II, an elector may propose a referendum measure of any of the Commission's plans of reapportionment adopted pursuant to Section 3(e), as if the plan was a statute adopted by the Legislature pursuant to section 9(b) and 9(c) of Article II.

SECTION 4. Severability

If any part of the measure or the application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which reasonably can be given effect without the invalid provision or application.

.

—

—

—